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13 **Pro hac vice application forthcoming*

14 *Attorneys for Defendant*
15 *MGM Resorts International*

16
17 **UNITED STATES DISTRICT COURT**
18 **DISTRICT OF NEVADA**

19 DAVID ZUSSMAN, individually and on behalf
20 of all others similarly situated,

21 Plaintiff,

22 v.

23 VICI PROPERTIES L.P., et al.,

24 Defendant.

Case No. 2:23-cv-1537-CDS-BNW

**STIPULATION TO EXTEND TIME
TO FILE DEFENDANT'S
RESPONSE TO COMPLAINT
(FOURTH REQUEST)**

25 Pursuant to LR IA 6-1, Plaintiff David Zussman and Defendant MGM Resorts
26 International ("MGM") (collectively, the "Parties") respectfully stipulate MGM's time to
27 respond to the Complaint be extended from the current deadline of March 11, 2024 to and
28 including April 10, 2024. This is the fourth stipulation for an extension of time to file

1 MGM's responsive pleading. The court previously granted an extension on January 9, 2024.
2 ECF No. 24.

3 Good cause exists to enlarge the time for MGM to respond to the Complaint. There
4 are currently thirteen other related actions filed against MGM pending in this District (the
5 "Related Actions"). See *Kirwan v. MGM Resorts Int'l*, No. 2:23-cv-01481; *Owens v. MGM*
6 *Resorts Int'l*, No. 2:23-cv-01480; *Lackey v. MGM Resorts Int'l*, No. 2:23-cv-01549; *Pircio*
7 *v. MGM Resorts Int'l*, No. 2:23-cv-01550; *Terezo v. MGM Resorts Int'l*, No. 2:23-cv-01577;
8 *Rundell v. MGM Resorts Int'l*, No. 2:23-cv-01698; *Bezak v. MGM Resorts Int'l*, No. 2:23-
9 cv-01719; *Albrigo v. MGM Resorts Int'l*, No. 2:23-cv-1981; *Zari v. MGM Resorts Int'l*, No.
10 2:23-cv-01777; *Manson v. MGM Resorts Int'l*, No. 2:23-cv-01826; *Sloan v. Vici Properties*
11 *Inc., et al.*, No. 2:23-cv-02042; *Righetti v. MGM Resorts Int'l*, No. 2:23-cv-2064; *Mejia v.*
12 *MGM Resorts, Int'l*, No. 2:23-cv-00081.

13 On December 6 and December 20, 2023, plaintiffs' counsel in six consolidated
14 putative class actions brought against MGM by individuals who allege their PII was
15 compromised as a result of a cybersecurity incident involving MGM in 2019 (the "2019
16 Actions") filed Notices of Related Cases Pursuant to District of Nevada Local Rule 42.1,
17 notifying the Court that the Related Actions are related to the 2019 Actions. *In re: MGM*
18 *Resorts Int'l Data Breach Litig.*, No. 2:20-CV-00376-GMN-NJK, ECF Nos. 186, 188.
19 Plaintiffs in this action have opposed this effort because the 2019 Actions involved a
20 different threat actor and different data. No order has issued on the notices filed by the
21 plaintiffs in the 2019 Actions, and MGM has not responded to any other Complaint in the
22 Related Actions.

23 The parties in the Related Actions are discussing this development in addition to the
24 consolidation of the Related Actions. The parties in the Related Actions have also engaged
25 in preliminary information exchange that may avoid the need for certain motion practice,
26 which would conserve judicial resources. As such, additional time is required to permit time
27 to meet and confer with the various parties to the Related Actions.

28 The Parties' request is made in good faith to enable the parties to finalize the joint

1 motion for consolidation and conserve judicial and party resources. Moreover, this case is
2 in its infancy, and this request will not prejudice any party.

3 **WHEREAS** the Parties respectfully request that MGM shall have until April 10,
4 2024, to answer, move, or otherwise respond to the Complaint.

5 Dated: March 8, 2024

Respectfully submitted,

6 /s/ Nathan R. Ring

7 Nathan R. Ring

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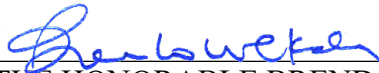
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19 *Attorneys for Defendant*
20 *MGM Resorts International*

21 **IT IS SO ORDERED:**

22 

23 THE HONORABLE BRENDA WEKSLER
24 UNITED STATES MAGISTRATE JUDGE
25

26 DATED: 3/11/2024
27
28